

VZCZCXRO5068  
PP RUEHCHI RUEHDT RUEHHM  
DE RUEHBD #0288/01 2760720  
ZNY CCCCC ZZH  
P 030720Z OCT 07  
FM AMEMBASSY BANDAR SERI BEGAWAN  
TO RUEHC/SECSTATE WASHDC PRIORITY 3961  
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY  
RUEHBJ/AMEMBASSY BEIJING PRIORITY 0384  
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0066  
RUEHLO/AMEMBASSY LONDON PRIORITY 0111  
RUEHBS/USEU BRUSSELS PRIORITY  
RUEHGVA/USMISSION GENEVA PRIORITY 0089

C O N F I D E N T I A L SECTION 01 OF 02 BANDAR SERI BEGAWAN 000288

SIPDIS

SIPDIS

E.O. 12958: DECL: 10/02/2017

TAGS: [PGOV](#) [PHUM](#) [BM](#) [BX](#)

SUBJECT: BRUNEI SUPPORTS UNPRECEDENTED ASEAN ACTION TO  
PRESSURE BURMESE REGIME

REF: SECSTATE 137644

Classified By: DCM Justin Friedman, Reasons 1.4 (b) & (d)

-----  
SUMMARY  
-----

¶1. (C) The Ambassador delivered reftel demarche separately to Ministry of Foreign Affairs and Trade (MoFAT) Permanent Secretaries Dato Shofry Ghafor and Pengiran Dato Osman Patra

SIPDIS

on October 2. Both indicated that Brunei fully supported the ASEAN position on Burma, noting that ASEAN had crossed a line abandoning its usual scrupulous avoidance of commenting on internal affairs of a member state. Osman said the he was concerned that the Burmese regime could threaten to scuttle the November ASEAN summit and signing of the ASEAN Charter in response to this new pressure from ASEAN, but commented that this would be a self-defeating abandonment of the lifeline ASEAN has given Burma out of isolation. Notwithstanding this potential risk, Osman was confident that ASEAN would create a human rights body through the Charter and that, so far, Burma had not been obstructing the process of creating this new body. These key GoB officials believe that China is best positioned to affect behavioral change in the Burmese regime.  
END SUMMARY.

-----  
BRUNEI FULLY ON BOARD WITH ASEAN ON BURMA  
-----

¶2. (C) On October 2, the Ambassador, accompanied by DCM, delivered reftel points separately to MoFAT Permanent Secretaries Dato Shofry Ghafor and Pengiran Dato Osman Patra.

SIPDIS

Shofry was acting Minister of Foreign Affairs and Trade in the absence of Prince Mohamed (Minister) and Pehin Lim Jock Seng (Minister II). The Ambassador welcomed the strong statement by the ASEAN Foreign Ministers in New York and stressed the need to keep pressure on the Burmese regime, particularly as the regime's strong-arm tactics have temporarily reduced the widespread public protests on the streets in Burma and the generals might be tempted to conclude that they could return to business as usual. Shofry commented that a call by Singapore Prime Minister Lee Hsien Loong to Sultan Hassanal Bolkiah was critical in bringing Brunei fully on board with the strong statement issued by the ASEAN ministers in New York. Shofry noted that while the ASEAN principle of non-interference in the internal affairs of member states was sacrosanct, the situation in Myanmar

compelled ASEAN to act.

13. (C) Similarly, Pengiran Dato Osman, the Permanent Secretary who runs ASEAN policy at MoFAT and is Brunei's lead

SIPDIS

on ASEAN Charter negotiations, observed that ASEAN had crossed a line with the statement. Osman, who was in New York at the time, noted that the final statement was balanced by giving the Myanmar regime a way out if it focused on the need for national reconciliation and cooperated with UN envoy Gambari. Osman commented that Singapore, as ASEAN chair, should take the next step by issuing a strong follow up statement at the upcoming ASEAN Senior Officials Meeting if Burma fails to respond to ASEAN's call for dialogue.

-----  
IMPACT ON ASEAN CHARTER AND NOVEMBER SUMMIT?  
-----

14. (C) Pengiran Dato Osman expressed concern that the Burmese may miscalculate and try to pressure ASEAN to back down by threatening the scuttle the November Summit and Charter signing. Osman noted that the previous ASEAN statement on Burma made in Kuala Lumpur (at the July 2006 ARF meeting) had been intended to give Burma the time and breathing space it needed to work out its internal problems. He said that scuttling the summit would be self-defeating as ASEAN has been the regime's lifeline out of isolation, giving Burma access to ASEAN's 10 dialogue partners who would not otherwise agree to meet with the regime at a high level bilaterally. Osman felt that this lifeline was too important to the regime to give up. The Ambassador commented that the Burma regime has triangulated among ASEAN, China, and India to minimize the impact of its international isolation, and a strong ASEAN stance could at least reduce its room for maneuver. Osman responded that now ASEAN members were frustrated at ASEAN's inability to deliver progress in Myanmar's internal behavior, commenting that only the Chinese

BANDAR SER 00000288 002 OF 002

and perhaps India have real clout with the regime.

15. (C) Osman informed us that Brunei will host on October 3 what he expects to be the last ASEAN meeting to finalize language on the ASEAN Charter, including the Human Rights mechanism. He said that there was full consensus that the Charter will create a human rights body by stating that there "shall" be a body "in conformance with ASEAN goals and principles" but the specific terms of reference for the body will be left to be agreed by Foreign Ministers after the Charter signing. Osman said that the UN Universal Declaration on Human Rights and the UN Convention on the Rights of the Child will be the core benchmarks for the terms of reference. He noted that the Burmese had been fully engaged in the Charter negotiations and had not/not blocked the creation of the Human Rights body in previous sessions.

-----  
COMMENT  
-----

16. (C) Both Shofry and Osman expressed the sentiment that ASEAN members felt miffed by the Burmese regime's refusal to accept a visit by the ASEAN chair. This may have been the key tactical error by the regime that eventually led to ASEAN members lining up against another member on an internal issue for the first time. Both were candid that Burma's snub of its ASEAN partners had demonstrated the lack of leverage ASEAN has over the regime. Shofry expected that ASEAN members could be convinced to support an EU-sponsored resolution at the UN Human Rights Council in Geneva if it did not go beyond what ASEAN had said in New York. However, speaking personally and not officially, both believed that beyond rhetoric, only China was best positioned to affect behavioral change in the Burmese regime.

17. (C) Given its own lack of democracy, Brunei is traditionally loath to endorse criticism of domestic action by other regimes. It appears that the call by PM Lee was a key factor for moving Brunei beyond its traditional reticence in this case. We should keep this in mind as we continue to encourage ASEAN to take additional measures to pressure Burma, and if need be, urge the Singaporeans to have their Prime Minister continue his personal diplomacy with the Sultan.  
SKODON